

REMARKS

The present application contains claims 1-31.

Applicant has amended independent claims 1, 5, and 25, to more clearly define the invention.

The Examiner rejected claims 1-10, and 12-31 under U.S.C. 102 (e) as being anticipated by Balasubramaniam, (U.S. Patent No. 6,701,441B1), hereinafter referred to as Balasubramaniam.

Applicant respectfully requests reconsideration and withdrawal of this objection in view of the amendments made herein and the following comments:

As discussed in the Applicant's Response dated August 19, 2005, Applicant notes that Balasubramaniam does not teach or suggest the establishment of a communication pipe between the server resident process, specifically the CGI, and the operating system of the client for direct interaction between the operating system of the client and the server, whereby the communication pipe is part of a communication link.

In the telephone interview conducted on August 23, 2005 in which John Murtaugh (Reg. No. 34226), John Harris (Reg. No. 39465) and Xiang Lu (Reg. No. 57089) participated with the Examiner, Applicant's counsel discussed the following items with the Examiner during the interview:

1. Applicant discussed the limitation of "communication pipe" 424 within the communication link 422, established between CGI 410 and operating system 406 as described at page 14, lines 7 to 17 and Figure 4 of the present application and claimed in the amended claims;
2. Applicant discussed the difference between an architecture and an operating system. In particular, the difference between COM as a "language independent component architecture", "a general purpose, object-oriented means to encapsulate commonly used functions and services" in Balasubramaniam; and the operating system 206 (e.g. page 10, lines 8 to 19) of the present application.

At the conclusion of the interview, the Examiner agreed with Applicant's counsel that the claims as now presented define over U. S. Pat. No. 6,701,441 due to the presence of the communication link limitation, and would investigate the difference between an architecture such as COM and an operating system.

In the Advisory Action mailed September 20, 2005, the Examiner provided a definition of "pipe" found from the Webopedia Computer Dictionary, and stated that "the prior art read on the limitation as claimed".

Applicant respectfully disagrees.

Applicant notes that the "pipe" definition as provided by Webopedia is: "a temporary software connection between two programs or commands". This definition does not result in Balasubramaniam to be read on the limitation of the claims. In fact, at column 11, lines 28 to 31 of Balasubramaniam, the opposite of a software connection is envisioned:

In a preferred embodiment, the server computer 100 downloads an application engine by wrapping it in a COM/ActiveX wrapper and storing the entire package in a browser cache area of the client computer 104.

Applicant therefore submits that claims 1, 5, 12, 14, 17, 20, 21, 26, 30 and 31, are novel in view of Balasubramaniam.

Applicant submits that claims 2-4, 6-10, 13, 15-16, 18-19, 22-25, 27-29 are dependent to the amended claim 1, 5, 12, 14, 17, 20, 21, 26, 30 and 31, and inherit all the features claimed in the independent claims.

The Examiner further rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Balasubramaniam and in view of Mikurak (US Patent No. 6,606,744), hereinafter referred as Mikurak.

Applicant submits that claim 11 is new and unobvious in view of the cited references as discussed in Applicant's Response dated August 19, 2005. Applicant respectfully requests the Examiner to withdraw the rejection.

Applicant respectfully requests reconsideration of this application, based on the foregoing amendments and remarks.

If any fees are required by this communication which are not covered by an enclosed check,
please charge such fees to our Deposit Account No. 16-0820, Order No. 33262.

Respectfully submitted,

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